

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Arkansas
Fort Smith Division

US DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

MAR 12 2020

DOUGLAS F. YOUNG, Clerk
By
Deputy Clerk

United States of America

v.

Jason D'Juan Garfield

Defendant

Case No. 2:20-mj-2004-001

CRIMINAL COMPLAINT

I, the Complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of February 16, 2020, in the county of Johnson, in the Western District of Arkansas, Fort Smith Division, the Defendant, JASON D'JUAN GARFIELD, knowing that he had been committed to a mental institution, and who was subject to a Court Order issued by the Johnson County, Arkansas Circuit Court on December 16, 2015, after a hearing of which he received actual notice, and at which he had an opportunity to participate, restraining him from harassing, stalking, or threatening an intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury, did knowingly possess one or more firearm(s) which had been shipped and transported in interstate commerce, in violation of 18 U.S.C. §§ 922(g)(4) and (8).

This criminal complaint is based on these facts:

■ Continued on the attached sheet.


Complainant's Signature

Ryan Crump, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 3/12/20


Judge's signature

City and State: Fort Smith, Arkansas

Mark E. Ford, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A COMPLAINT

I, the undersigned, being duly sworn, depose and say as follows:

1. I, Ryan Crump, hereafter referred to as “Affiant,” am a Special Agent (SA) of the Federal Bureau of Investigation (FBI). Affiant has been a Special Agent of the FBI since January 2018. Affiant is currently assigned to the FBI Little Rock Division and has been assigned as such since January 2018.

2. During my career as a Special Agent, I have been involved in a variety of investigative matters, including international and domestic terrorism matters. During the course of these investigations, I have assisted with Title III wire intercept affidavits, participated in the execution of search and arrest warrants, conducted physical surveillance, participated in controlled meetings with confidential sources, and communicated with other local and federal law enforcement officers regarding the manner in which those engaged in domestic terror activities conduct their business.

3. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and I am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

4. Except as otherwise noted, the statements contained in this Affidavit are based in part on information provided by law enforcement officers and my experience as a FBI Special Agent. Unless otherwise noted, wherever in this Affidavit I assert a statement was made or the information was provided by another law enforcement officer, the officer in question may have direct or hearsay knowledge of the subject matter of the statement. I have not set forth all of the facts uncovered during this investigation in preparing this Affidavit.

5. I make this Affidavit in support of a Criminal Complaint concerning federal felony offenses enumerated in Title 18, United States Code, Sections 922 (g)(4) and (8).

FACTS ESTABLISHING PROBABLE CAUSE

6. On February 16, 2020, FBI surveillance observed Jason D’Juan **GARFIELD** at a gun show at the Arkansas State Fairgrounds located at 2600 Howard Street, Little Rock, Arkansas. FBI surveillance observed **GARFIELD** purchase a firearm from an individual at the gun show.

7. An FBI Task Force Officer interviewed the seller, who advised that **GARFIELD** purchased a Springfield, .45 caliber pistol, serial number WW57358, from his/her booth.

8. A security officer for the gun show was also interviewed, and stated that as **GARFIELD** was exiting the gun show, he/she examined a firearm in **GARFIELD**’s possession and confirmed it was a pistol bearing serial number WW57358.

9. FBI Surveillance then observed **GARFIELD** leave the gun show, enter the passenger side of a parked vehicle, stop briefly at the Shell gas station located at 3100 John F. Kennedy Blvd. in North Little Rock, Arkansas, until finally arriving at a Walmart located at 230 Market Street, Clarksville, Arkansas, which is in the Western District of Arkansas, Fort Smith Division. **GARFIELD** did not exit the vehicle when it stopped at the gas station.

10. On March 12, 2020, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Tony McCutcheon was provided the information for the Springfield Armory, .45 caliber pistol, serial number WW57358. Based upon that information, SA McCutcheon was able to determine that this firearm was not manufactured in the State of Arkansas. Thus, if that firearm was possessed in the State of Arkansas, it had to have traveled in and/or effected interstate commerce as defined in Title 18, United States Code, Section 921(a)(2).

11. On November 10, 2015, a licensed professional counselor, filed a petition to involuntarily commit **GARFIELD** stating that he was “a clear and present danger to himself/herself or others.”¹ That same date, a Johnson County, Arkansas Circuit Judge issued a Pick-Up Order to transport **GARFIELD** to court for a hearing set for November 12, 2015.

12. On November 11, 2015, a Johnson County, Arkansas Sheriff’s deputy served **GARFIELD** with a Summons, Statement of Rights, and Petition.

13. On November 12, 2015, after a hearing, the Court entered an order finding **GARFIELD** “poses a clear and present danger to himself/herself or others,” and involuntarily committing **GARFIELD** to a facility for seven days for evaluation. **GARFIELD** was present for the hearing and represented by counsel.

14. On November 17, 2015, **GARFIELD**’s mother filed a Petition for Order of Protection and an accompanying affidavit seeking an order of protection against **GARFIELD**.² In the affidavit, **GARFIELD**’s mother stated that on November 9, 2015, **GARFIELD** told her, “If anyone comes to take me away I’m going to slit your fucking throat you worthless piece of shit.” **GARFIELD**’s mother also stated, “[**GARFIELD**] has physically assaulted me less than a year ago and has made threats on my life regularly since the attack.”

15. On November 20, 2015, a Johnson County, Arkansas Sheriff’s deputy personally served **GARFIELD** a copy of the petition, ex parte order of protection, summons, and warnings. In the warnings it stated, “It is a federal offense for an individual who is subject to a Final Order of Protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. §922(g)(8) and (9).”

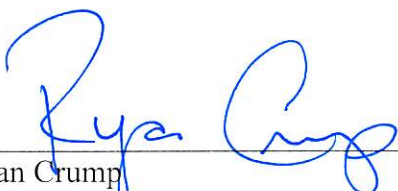
¹ Johnson County, Arkansas Circuit Court Case No. 36-PR-15-185.

² Johnson County, Arkansas Circuit Court Case No. 36-DR-15-279.

16. On December 16, 2015, the Johnson County, Arkansas Circuit Judge, after a hearing, entered a Final Order of Protection. The Court stated **GARFIELD** had “been provided with proper notice and the opportunity to be heard,” and found **GARFIELD**’s mother was “in immediate and present danger of domestic abuse.” The Order is effective until December 16, 2025.


17. Based upon the above and my training and experience, your Affiant believes there is probable cause to believe that on or about February 16, 2020, Jason D’Juan **GARFIELD** possessed a Springfield Armory, .45 caliber pistol, serial number WW57358, in violation of Title 18, United State Code, Sections 922(g)(4) and (8), in the Western District of Arkansas, Fort Smith Division.

DATED this 12th day of March, 2020.



Ryan Crump
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 12th day of March, 2020.



Honorable Mark E. Ford
United States Magistrate Judge